

From: [Kemp, Steve](#)
To: [Jason Smith](#); [Craig Hoby](#)
Cc: [Fritz, Koni](#); [Campbell, Todd](#); [Hagenmaier, Elizabeth](#)
Subject: RE: EQM EP-S7-15-06 Mod 37 Gypstack Repairs, Dogwood Lane, MW19
Date: Tuesday, February 4, 2020 4:52:00 PM
Attachments: [image003.png](#)

Ok, Thanks Jason.

Steve Kemp, RPM
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From: Jason Smith <jsmith@eqm.com>
Sent: Tuesday, February 04, 2020 3:30 PM
To: Kemp, Steve <kemp.steve@epa.gov>; Craig Hoby <choby@eqm.com>
Cc: Fritz, Koni <Fritz.Koni@epa.gov>; Campbell, Todd <Campbell.Todd@epa.gov>; Hagenmaier, Elizabeth <Hagenmaier.Elizabeth@epa.gov>
Subject: RE: EQM EP-S7-15-06 Mod 37 Gypstack Repairs, Dogwood Lane, MW19

Good afternoon Steve

Just to clarify, I do fully understand the hard ceiling of the contract and how the cost per cu/yds is figured on table. Accurate cost tracking is very important to us as well as getting the work done in a timely manner.

Jason Smith

Site Superintendent
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From: Kemp, Steve [<mailto:kemp.steve@epa.gov>]
Sent: Tuesday, February 04, 2020 7:54 AM
To: Craig Hoby; Jason Smith
Cc: Fritz, Koni; Campbell, Todd; Hagenmaier, Elizabeth
Subject: EQM EP-S7-15-06 Mod 37 Gypstack Repairs, Dogwood Lane, MW19

Craig, Jason:

This email is a followup to a conversation that Jason and I had while reviewing the work at Gypstack yesterday afternoon. During our conversation as Jason and I were discussing the volume of fill to be moved to change the drainage toward the south, I asked if we can complete the change within the estimated volume of fill to be moved and within the cost of the modification - \$1,280,087.01. Jason mentioned that he didn't realize the cost was a hard ceiling that can not be exceeded, in part because there is a cost/CY identified in the table attached to the mod. I responded that the dollar amount is definitely a hard ceiling that can not be exceeded. In addition, I stated that I do not have the authority as the COR to approve any work that will require an increase in the cost of the mod or the cost of the contract. Only the CO, Koni Fritz, can authorize increases in cost.

Jason and I later visited Dogwood Lane to discuss the completion of the work there and the installation of the box culvert and associated additional work and later visited MW19. The work at MW19 is turning out to be more extensive than estimated in the design. During the discussion at each of those areas, I asked about the anticipated cost and the amount of time required to complete all of the work. These issues illustrate why Koni and I have been asking for a complete list of all work to be completed, a schedule for completing the work and cost estimates for all work.

It is very important that EQM understands that you can not conduct work that requires funding above the dollar amount specified in the contract without prior approval of the CO. I as the COR do not have the authority to approve any work that will result in a cost increase. That is why we request estimates for additional work and Koni has to approve the work in a Mod with a specific amount identified in the Mod. It is also why I frequently ask about the anticipated cost of completing work that seems to exceed the work in the design, just as I did in discussion last summer as we were beginning work down in the drainage north of Larry Wald's property, and why EPA has been reluctant to have EQM start work in new areas. It is critical that we not exceed costs on the contract unless the work is approved by the CO.

Please submit an updated list of the remaining work to be completed and status of funds left on the contract by the end of this week.

If you have any questions, please don't hesitate to contact me. Thanks.

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